

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 544 – HB 759

February 20, 2023

SUMMARY OF BILL: Requires the Department of Children’s Services (DCS) to employ a guardian ad litem to each region in the state to be used to advocate for children in DCS custody due to allegations of dependency and neglect, and to file petitions to terminate parental rights when appropriate if the child has been in DCS custody for at least six months. States that the legislation will take effect January 1, 2024.

FISCAL IMPACT:

**Increase State Expenditures – \$687,400/FY23-24
\$1,374,700/FY24-25 and Subsequent Years**

**Increase Federal Expenditures – \$460,600/FY23-24
\$921,200/FY24-25 and Subsequent Years**

Assumptions:

- DCS currently separates the state into 12 regions; therefore, it will be required to employ the following positions:
 - 12 Guardian Ad Litem positions, which will result in a recurring increase in expenditures of \$1,921,020 [(\$131,004 salary + \$29,081 benefits x 12 positions] in FY23-24 and subsequent years;
 - 6 Administrative Secretary positions, which will result in a recurring increase in expenditures of \$374,940 [(\$47,304 salary + \$15,186 benefits) x 6 positions] in FY23-24 and subsequent years.
- The total increase in expenditures as a result of the new positions will be \$2,295,960 (\$1,921,020 + \$374,940).
- The recurring increase in expenditures of \$2,295,960 will consist of:
 - 44 percent, or \$1,010,222 (\$2,295,960 x 44%), in state funding,
 - 10 percent, or \$229,596 (\$2,295,960 x 10%), in Title IV-E federal funding, and
 - 46 percent, or \$1,056,142 (\$2,295,960 x 46%) in TennCare funding, of which:
 - 34.515 percent, or \$364,527 (\$1,056,142 x 34.515%) is state and
 - 65.485 percent, or \$691,615 (\$1,056,142 x 65.485%) is federal.
- Since the proposed legislation is enacted halfway through the fiscal year, expenditures in FY23-24 will be half of the recurring amounts.

- The total increase in state expenditures will be \$687,375 $[(\$1,010,222 + \$364,527) \times 50\%]$ in FY23-24, and \$1,374,749 $(\$1,010,222 + \$364,527)$ in FY24-25 and subsequent years.
- The total increase in federal expenditures will be \$460,606 $[(\$229,596 + \$691,615) \times 50\%]$ in FY23-24, and \$921,211 $(\$229,596 + \$691,615)$ in FY24-25 and subsequent years.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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